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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT TACOMA

10               MARK N. KELLEY,  
11    Plaintiff,  
12               v.  
13               VICTORIA ROBERTS,  
14    Defendants.

Case No. C07-5288FDB

ORDER GRANTING  
DEFENDANT'S MOTION TO  
DISMISS

15               The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Magistrate  
16               Judge J. Kelley Arnold, objections to the report and recommendation, if any, and the remaining record,  
17               does hereby find and ORDER:

18               (1)      The Court adopts the Report and Recommendation;  
19               (2)      Defendants' motion to dismiss (Doc. 53) is GRANTED; and his claims and causes of  
20               action are DISMISSED;  
21               (3)      The Clerk is directed to send copies of this Order to plaintiff and to the Hon. J. Kelley  
22               Arnold

23               DATED this 14<sup>th</sup> day of March 2008.

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FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE